



JCO6 Rec'd PCT/PTO 25 AUG 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV707249202US, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: August 25, 2005

Signature: Yuki Tsukuda

(Yuki Tsukuda)

Docket No.: 15115/153001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yoichi Nakanishi et al.

Application No.: 10/523,084

Filed: February 2, 2005

For: OPTICAL SWITCH AND OPTICAL SWITCH
UNIT

Confirmation No.: 8516

Art Unit: N/A

Examiner: Not Yet Assigned

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

MS Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements – Filing Date Granted mailed July 26, 2005, Applicant respectfully submits a Combined Declaration and Power of Attorney, an Application Data Sheet, and a Copy of Notification.

Please charge our Credit Card in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(f). Credit Card Payment Form SB-2038, with a signature from an authorized cardholder, is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 50-0591, under Order No. 15115/153001.

09/01/2005 ATRAN1 00000122 10523084

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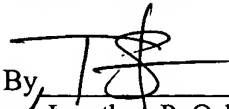
130.00 OP

Application No.: 10/523,084

Docket No.: 15115/153001

Dated: August 25, 2005

Respectfully submitted,

By  #45,079
Jonathan P. Osha THOMAS SCHERER
Registration No.: 33,986
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)



Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). FEE TRANSMITTAL For FY 2005		Complete if Known	
		Application Number	10/523,084-Conf. #8516
		Filing Date	February 2, 2005
		First Named Inventor	Yoichi Nakanishi
		Examiner Name	Not Yet Assigned
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27	Art Unit	N/A	
TOTAL AMOUNT OF PAYMENT	(\$) 130.00	Attorney Docket No.	15115/153001

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 50-0591 Deposit Account Name: Osha · Liang LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims
				Fee (\$)
				Fee Paid (\$)

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)

4. OTHER FEE(S)

	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 1051 Surcharge-Late oath or declaration	130.00

SUBMITTED BY			
Signature	<i>Jonathan P. Osha</i> #45,079	Registration No. (Attorney/Agent)	33,986
Name (Print/Type)	Jonathan P. Osha THOMAS SCHERER	Telephone	(713) 228-8600
		Date	August 25, 2005

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Dated: August 25, 2005

Signature: *Yuki Tsukuda* (Yuki Tsukuda)



Application No. (if known): 10/523,084

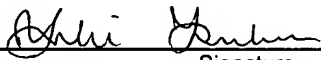
Attorney Docket No.: 15115/153001

Certificate of Express Mailing Under 37 CFR 1.10

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Alexandria, VA 22313-1450

on August 25, 2005
Date


Signature

Yuki Tsukuda

Typed or printed name of person signing Certificate

Registration Number, if applicable

713-228-8600
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Declaration (Japanese Language) (5 pages)



Application No. (if known): 10/523,084

Attorney Docket No.: 15115/153001

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Signature

Yuki Tsukuda

Typed or printed name of person signing Certificate

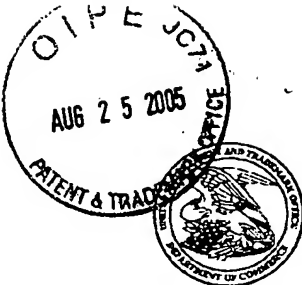
Registration Number, if applicable

(713) 228-8600

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 page)
Application Data Sheet (4 pages)
Declaration (Japanese Language) (5 pages)
Part 2 Copy of Notification (2 pages)
Response to Notification of Missing Requirements (2 pages)
Payment by credit card. Form PTO-2038 is attached
Charge \$130.00 to credit card



RECEIVED

AUG 01 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/523,084	Yoichi Nakanishi	15115/153001

INTERNATIONAL APPLICATION NO.

PCT/JP03/08688

IA. FILING DATE	PRIORITY DATE
07/09/2003	08/05/2002

22511
OSHA LIANG L.L.P.
1221 MCKINNEY STREET
SUITE 2800
HOUSTON, TX 77010

Action:	Docketing
Base Date:	7/26/05
Due Date:	9/26/05
Deadline:	2/26/06
Initials:	LL
Atty./Sec. Initials:	

CONFIRMATION NO. 8516

371 FORMALITIES LETTER



OC000000016612480

Date Mailed: 07/26/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/02/2005
- English Translation of the IA filed on 02/02/2005
- Copy of the International Search Report filed on 02/02/2005
- Copy of IPE Report filed on 02/02/2005
- Preliminary Amendments filed on 02/02/2005
- Information Disclosure Statements filed on 02/02/2005
- Oath or Declaration filed on 02/02/2005
- Request for Immediate Examination filed on 02/02/2005
- U.S. Basic National Fees filed on 02/02/2005
- Priority Documents filed on 02/02/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130** Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/523,084	PCT/JP03/08688	15115/153001